

**AMENDMENTS TO THE SPECIFICATION**

**Please replace the paragraph at page 15, line 10 with the following amended paragraph:**

The image determining section 21 detects picture determination data such as brightness data of the picture data and spatial frequency data of the picture data, and determines whether the picture data is valid or invalid, based on the picture determination data. The brightness data may be an average brightness of the picked-up picture data or the number of pixels darker than a threshold. The spatial frequency may be uniformity or the number of frequency components higher than a threshold. When determining from the brightness data of the picture data that the exposure of the picture data is not proper, the image determining section 21 determines the picture data is invalid. Also, when determining from the spatial frequency data of the picture data that the picture data is obscured by obstacles or contains many sharply changing portions, the image determining section 21 determines the picture data is invalid. When the picked-up picture data is determined to be valid, the image processing section 2 encodes the picture data picked up by the imaging section 1 to output as transmission picture data to the multiplier 42 and the display section 5. When the picked-up picture data is determined to be ~~valid~~invalid, the image processing section 2 retrieves the substitution picture data from the substitution picture storage section 3 and encodes it to output as transmission picture data to the multiplier 42 and the display section 5, in place of the picked-up picture data from the imaging section 1. The display section 5 displays the transmission picture data and reception picture data, which are processed by the image processing section 2, on a liquid crystal display. The microphone 8 inputs and encodes speech of a user to produce transmission audio data. The multiplier 42 multiplexes the

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transmission picture data from the image processing section 2 and the transmission audio data from the audio processing section 6 to output transmission data to the communication control section 41.